

## Environmental Protection Agency

## § 1068.1

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SOURCE: 73 59344, Oct. 8, 2008, unless otherwise noted.

### Subpart A—Applicability and Miscellaneous Provisions

#### § 1068.1 Does this part apply to me?

(a) The provisions of this part apply to everyone with respect to the following engines and to equipment using the following engines (including owners, operators, parts manufacturers, and persons performing maintenance):

(1) Locomotives we regulate under 40 CFR part 1033.

(2) Heavy-duty motor vehicles and motor vehicle engines to the extent and in the manner specified in 40 CFR parts 85, 86, 1036 and 1037.

(3) Land-based nonroad compression-ignition engines we regulate under 40 CFR part 1039.

(4) Stationary compression-ignition engines certified using the provisions of 40 CFR part 1039, as indicated in 40 CFR part 60, subpart IIII.

(5) Marine compression-ignition engines we regulate under 40 CFR part 1042.

(6) Marine spark-ignition engines we regulate under 40 CFR part 1045.

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(7) Large nonroad spark-ignition engines we regulate under 40 CFR part 1048.

(8) Stationary spark-ignition engines certified using the provisions of 40 CFR part 1048 or part 1054, as indicated in 40 CFR part 60, subpart JJJJ.

(9) Recreational engines and vehicles we regulate under 40 CFR part 1051 (such as snowmobiles and off-highway motorcycles).

(10) Small nonroad spark-ignition engines we regulate under 40 CFR part 1054.

(b) This part does not apply to any of the following engine or vehicle categories, except as specified in paragraph (d) of this section or as specified in other parts:

(1) Light-duty motor vehicles (see 40 CFR part 86).

(2) Highway motorcycles (see 40 CFR part 86).

(3) Aircraft engines (see 40 CFR part 87).

(4) Land-based nonroad compression-ignition engines we regulate under 40 CFR part 89.

(5) Small nonroad spark-ignition engines we regulate under 40 CFR part 90.

(c) Paragraph (a) of this section identifies the parts of the CFR that define emission standards and other requirements for particular types of engines and equipment. This part 1068 refers to each of these other parts generically as the “standard-setting part.” For example, 40 CFR part 1051 is always the standard-setting part for snowmobiles. Follow the provisions of the standard-setting part if they are different than any of the provisions in this part.

(d) Specific provisions in this part 1068 start to apply separate from the schedule for certifying engines to new emission standards, as follows:

(1) The provisions of §§1068.30 and 1068.310 apply for stationary spark-ignition engines built on or after January 1, 2004, and for stationary compression-ignition engines built on or after January 1, 2006.

(2) The provisions of §§1068.30 and 1068.235 apply for the types of engines/equipment listed in paragraph (a) of this section beginning January 1, 2004, if they are used solely for competition.

[76 FR 57488, Sept. 15, 2011]

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EFFECTIVE DATE NOTE: At 77 FR 36386, June 18, 2012, §1068.1 was amended by revising paragraph (b), effective July 18, 2012. For the convenience of the user, the revised text is set forth as follows:

### § 1068.1 Does this part apply to me?

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(b) This part does not apply to any of the following engine or vehicle categories:

(1) Light-duty motor vehicles (see 40 CFR part 86).

(2) Heavy-duty motor vehicles and motor vehicle engines, except as specified in 40 CFR part 86.

(3) Aircraft engines, except as specified in 40 CFR part 87.

(4) Land-based nonroad compression-ignition engines we regulate under 40 CFR part 89.

(5) Small nonroad spark-ignition engines we regulate under 40 CFR part 90.

(6) Marine spark-ignition engines we regulate under 40 CFR part 91.

(7) Locomotive engines we regulate under 40 CFR part 92.

(8) Marine compression-ignition engines we regulate under 40 CFR parts 89 or 94.

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### § 1068.2 How does this part apply for engines and how does it apply for equipment?

(a) See the standard-setting part to determine if engine-based and/or equipment-based standards apply. (Note: Some equipment is subject to engine-based standards for exhaust emission and equipment-based standards for evaporative emissions.)

(b) The provisions of this part apply differently depending on whether the engine or equipment is required to be certified.

(1) Subpart A and subpart B of this part apply to engines and equipment, without regard to which is subject to certification requirements in the standard-setting part.

(2) Subparts C, D, and E of this part apply to the engines or to the equipment, whichever is subject to certification requirements in the standard-setting part.

(3) Subpart F of this part generally applies to the engines or to the equipment, whichever is subject to standards under the standard-setting part. However, since subpart F of this part addresses in-use engines and equipment